

**MINUTES OF THE CITY OF SAN JOSÉ/REDEVELOPMENT
AGENCY BOARD**

SAN JOSE, CALIFORNIA

TUESDAY, OCTOBER 5, 2004

The Council of the City of San José convened in Joint Session with the Redevelopment Agency Board at 7:42 p.m. in City Council Chambers at City Hall.

Present: Council Members: Campos, Chavez, Chirco, Cortese, Dando, Gregory,
LeZotte, Reed, Williams, Yeager; Gonzales.

Absent: Council Members: None.

7.1 City Council and Redevelopment Agency Board actions for the award of a construction contract for the Civic Plaza Infrastructure Improvement Project.

Recommendations:

- (a) **City Council adoption of Appropriation Ordinance and Funding Sources Resolution amendments in the Services for Redevelopment Capital Projects Fund (City-side Redevelopment Fund):**
 - (1) Establishing a transfer to the Redevelopment Agency for the Traffic Signals and Underground Infrastructure – Santa Clara Street project in the amount \$2,000,000; and,
 - (2) Increasing the Beginning Fund Balance by \$674,028.
 - (3) Decreasing the Edenvale Infrastructure Improvement project by \$942,000.
 - (4) Decreasing the Floyd and Locust Park Development project by \$383,572.
- (b) **City Council adoption of Appropriation Ordinance amendments in the Building and Structure Construction Tax Fund:**
 - (1) Establishing a transfer to the Redevelopment Agency for the Traffic Signals and Underground Infrastructure – Santa Clara Street project in the amount \$124,000; and,
 - (2) Decreasing the Ending Fund Balance by \$124,000.
- (c) **Adoption by the City Council of Appropriation Ordinance amendments in the Civic Center Improvement Fund:**
 - (1) Establishing a transfer to the Redevelopment Agency for the Fourth Street Communications Conduit project in the amount \$65,000; and,
 - (2) Decreasing the Technology, Furniture and Equipment project by \$65,000.- 3 - 10/5/04

7.1 (Cont'd.)

- (d) **Adoption of a resolution by the Redevelopment Agency Board amending the FY 2004-2005 Redevelopment Agency Revenue Resolution approving the addition of \$2,189,000 in revenue funds transferred from the City for the construction of the Civic Plaza/Fifth Street Streetscape Project to the FY 2004-2005 Adopted Budget, amending the Adopted FY 2004-2005 Capital Budget, Civic Plaza Streetscape Project line in the Civic Plaza Redevelopment Area, and amending the FY 2004-2005 Agency Appropriations Resolution.**
- (e) **Approval by the City Council and Redevelopment Agency Board of the first amendment to the Cooperation Agreement between the City and the Redevelopment Agency, providing for the Redevelopment Agency's construction of the City's signalization and underground infrastructure project, increasing the City's funding of the signalization project by \$2,189,000, for a total funding of \$2,505,000; and,**
- (f) **Adoption of a resolution by the Redevelopment Agency Board awarding a construction contract to OC Jones & Sons, the low bidder, in the amount \$4,275,885, and establishing a construction contingency in the amount of \$524,115, for a total construction cost not to exceed \$4,800,000 for the construction of the Civic Plaza/Fifth Street Streetscape Project. CEQA: Resolution No. 68905; PP04-03-071 [CIVIC PLAZA]**

Documents Filed: Memorandum from Executive Director of the Redevelopment Agency Harry S. Mavrogenes and City Manager Del D. Borgsdorf, dated October 5, 2004, recommending adoption of the ordinances and resolutions.

Action: Upon motion by Council Member Williams, seconded by Council Member Cortese, and unanimously carried, Ordinance No. 27261, entitled: "An Ordinance of the City of San José Amending Ordinance No. 27196 to Appropriate Moneys in the Services for Redevelopment Capital Projects Fund for Traffic Signals and Underground Infrastructure; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", Resolution No. 72348, entitled: "A Resolution of the Council of the City of San José Amending Resolution No. 72189 Setting Forth the Estimated Sources of Funds for the Fiscal Year 2004-2005 to Adjust Revenues in the Services for Redevelopment Capital Projects Fund", Ordinance No. 27262, entitled: "An Ordinance of the City of San José Amending Ordinance No. 27196 to Appropriate Moneys in the Building and Structure Construction Tax Fund for the Redevelopment Agency for Traffic Signals and Underground Infrastructure; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", Ordinance No. 27263, entitled: "An Ordinance of the City of San José Amending Ordinance No. 27196 to Appropriate Moneys in the Civic Center Improvement Fund for the Redevelopment Agency for the Fourth Street Communications Conduit Project; and Providing that this Ordinance Shall Become Effective Immediately Upon Adoption", Agency Resolution No. 5545 and Agency Resolution No. 5546 were adopted with additional direction to Staff to provide Council, via informational memorandum, budget clarifications relating to transfer of funds. (11-0).

7.2 Approval of actions by the City Council and the Redevelopment Agency Board related to the Hoffman/Via Monte Community Modular Neighborhood Center Project.

Recommendations:

- (a) Adoption of a resolution by the City Council making certain determinations required by Redevelopment Law, Health and Safety Code Section 33445, for Redevelopment Agency funding of construction of a modular neighborhood center in the Hoffman/Via Monte Strong Neighborhoods Initiative (SNI) neighborhood; and,**
- (b) City Council and Redevelopment Agency Board approval of a Cooperation Agreement providing for the Agency to make the rent payments for the initial term of the Ground Lease, construction of the Hoffman/Via-Monte Neighborhood Center by the Agency, and for the City to maintain and operate the Hoffman/Via-Monte Neighborhood Center pursuant to the Ground Lease. - 4 - 10/5/04**
- (c) Adoption of a resolution by the City Council approving a Ground Lease between the City of San Jose and the Almaden Hills United Methodist Church for the Hoffman/Via-Monte Neighborhood Center with prepaid rent for the initial twenty year term of the Lease in the amount of \$321,353; and,**
- (d) City Council approval of FY 2004-2005 Appropriation Ordinance amendments in the General Fund to reallocate the funding from the construction project to the operating costs:**
 - (1) Decreasing the Hoffman/Via Monte Neighborhood Center capital project by \$650,000.**
 - (2) Establishing a City-wide Hoffman/Via Monte Neighborhood Center Operating Costs appropriation in the amount of \$650,000.**

CEQA: Exempt; PP04-06-185 [SNI: HOFFMAN/VIA MONTE] [Deferred 9/7/04, Item 7.1]

Documents Filed: Memorandum from Executive Director of the Redevelopment Agency Harry S. Mavrogenes and City Manager Del D. Borgsdorf, dated October 5, 2004, recommending approval of staff recommendations.

Action: Upon motion by Vice Mayor Dando, seconded by Council Member Chavez, and unanimously carried, Ordinance No. 27264, entitled: "An Ordinance of the City of San José Amending Ordinance No. 27196 to Appropriate Moneys in the General Fund for the Hoffman/Via Morte Neighborhood Center Capital Project; and Providign that this Ordinance Shall Become Effective Immediately Upon Adoption", Resolution No. 72349, entitled: "A Resolution of the Council of the City of San José Making Certain Determinations Required by Redevelopment Law Regarding the Expenditure of Redevelopment Agency Funds on City-Owned Public Improvements in the Hoffman/Via Monte Strong Neighborhoods Initiative Neighborhood", Resolution No. 72350, entitled: "A Resolution of the Council of the City of San José Approving a Ground Lease Between the City and the Almaden Hills United Methodist Church for the Hoffman/Via-Monte Neighborhood Center with Prepaid Rent for the Initial Twenty Year Term of the Lease in the Amount of \$321,353", and Agency Resolution No. 5547 were adopted. (11-0).

7.3 Public Hearing on the Proposed Operating and Capital Budgets of the Redevelopment Agency.

Recommendation: Public Hearing on the Redevelopment Agency of San Jose's Proposed Operating and Capital Budgets for Fiscal Year 2004-2005, and the Proposed Capital Improvement Program for Fiscal Year 2005-2006.

Documents Filed: None.

Action: The Public Hearing was held and staff was directed to provide a memorandum to Council providing a full report on the issues relating to the Fallon House costs and improvements and to include a timeline for the project. (11-0).

ADJOURNMENT

The Joint Council/Redevelopment meeting adjourned at 9:14 P.M.